

1 BILL NO. R-*79-07-21*

2 RESOLUTION NO. R-*33-79*

3 A RESOLUTION finding, determining and ratifying  
4 an inducement resolution of the Fort Wayne  
5 Economic Development Commission authorizing  
6 the issuance and sale of \$1,250,000.00 Economic  
7 Revenue Bonds of the City of Fort Wayne, Indiana,  
for the purpose of inducing the Applicant to  
proceed with the acquisition, construction and  
equipping of the Project.

8 WHEREAS, the City of Fort Wayne, Indiana, (the  
9 "Issuer") is authorized by I.C. 18-6-4.5 (the "Act") to issue  
10 revenue bonds for the financing of economic development faci-  
11 lities, the funds from said financing to be used for the acqui-  
12 sition, construction and equipping of said facilities, and said  
13 facilities to be either sold or leased to another person or  
14 directly owned by another person; and

15 WHEREAS, James J. Schenkel, Richard D. Shultz, Michael  
16 Dahm, and Cooper, Brandt, Brenner, Fanger, Gaskill & Hartman,  
17 an Indiana Partnership, (the "Applicant") has advised the Fort  
18 Wayne Economic Development Commission and the Issuer that it  
19 proposes that the Issuer either acquire, construct and equip  
20 an economic development facility and sell or lease the same to  
21 the Applicant or loan proceeds of an economic development finan-  
22 cing to the Applicant for the same, said economic development  
23 facility to be an office building for the purpose of expanding  
24 the facilities of Schenkel and Shultz, Inc. and Cooper, Brandt,  
25 Brenner, Fanger, Gaskill & Hartman and including the real estate  
26 on which it is located. The facility will be located at 3701  
27 Rupp Drive, Fort Wayne, Indiana (the "Project"); and

28 WHEREAS, the diversification of industry and an increase  
29 in approximately 35 job opportunities to be achieved by the

1 acquisition, construction and equipping of the Project will be of  
2 public benefit to the health, safety and general welfare of the  
3 Issuer and its citizens; and

4 WHEREAS, having received the advice of the Fort Wayne  
5 Economic Development Commission, it would appear that the  
6 financing of the Project would be of public benefit to the health,  
7 safety and general welfare of the Issuer and its citizens; and

8 WHEREAS, the acquisition and construction of the  
9 facility will not have an adverse competitive effect on any simi-  
10 lar facility already constructed or operating in or about Fort  
11 Wayne, Indiana;

12 NOW, THEREFORE, BE IT RESOLVED by the Common Council  
13 of Fort Wayne:

14 1. The Common Council finds, determines,  
15 ratifies and confirms that the promotion of di-  
16 versification of economic development and job  
17 opportunities in and near Fort Wayne, Indiana and  
18 in Allen County, is desirable to preserve the  
19 health, safety and general welfare of the citizens  
20 of the Issuer; and that it is in the public interest  
21 that Fort Wayne Economic Development Commission and  
22 said Issuer take such action as it lawfully may  
23 to encourage diversification of industry and pro-  
24 motion of job opportunities in and near said Issuer.

25 2. The Common Council further finds, deter-  
26 mines, ratifies and confirms that the issuance and  
27 sale of revenue bonds in an amount not to exceed  
28 \$1,250,000.00 of the Issuer under the Act for the  
29 acquisition, construction and equipping of the

1 Project and the sale or leasing of the Project to  
2 the Applicant or the loaning of the proceeds of such  
3 a financing to the Applicant for such purposes will  
4 serve the public purposes referred to above, in  
5 accordance with the Act.

6       3. In order to induce the Applicant to pro-  
7 ceed with the acquisition, construction and equip-  
8 ping of the Project, the Common Council hereby  
9 finds, determines, ratifies and confirms that (i)  
10 it will take or cause to be taken such actions  
11 pursuant to the Act as may be required to imple-  
12 ment the aforesaid financing, or as it may deem  
13 appropriate in pursuance thereof, provided that all  
14 of the foregoing shall be mutually acceptable to  
15 the Issuer and the Applicant; (ii) it will adopt  
16 such ordinances and resolutions and authorize the  
17 execution and delivery of such instruments and  
18 the taking of such action as may be necessary and  
19 advisable for the authorization, issuance and sale  
20 of said economic development bonds.

21       4. All costs of the Project incurred after  
22 the passage of this inducement resolution, including  
23 reimbursement or repayment to the Applicant of  
24 moneys expended by the Applicant for planning, en-  
25 gineering, interest paid during construction, under-  
26 writing expenses, attorney and bond counsel fees,  
27 acquisition, construction and equipping of the Pro-  
28 ject will be permitted to be included as part of  
29 the bond issue to finance said Project, and the

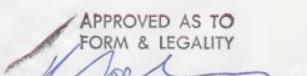
1 Issuer will thereafter either sell or lease the  
2 same to the Applicant or loan the proceeds of such  
3 financing to the Applicant for the same purposes.

4 Adopted this 10<sup>th</sup> day of July, 1979.  
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6 CITY OF FORT WAYNE  
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9 Vivian A. Schmidt  
10 Councilman

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27 APPROVED AS TO  
28 FORM & LEGALITY  
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31 William N. Salin, City Attorney  
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, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_  
seconded by \_\_\_\_\_, and duly adopted, placed on its passage.

PASSED ... (~~POST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
OTAL VOTES	9	0	—	—	—
URNS	X	—	—	—	—
INGA	X	—	—	—	—
UNTER	X	—	—	—	—
OSES	X	—	—	—	—
UCKOLS	X	—	—	—	—
CHMIDT, D.	X	—	—	—	—
CHMIDT, V.	X	—	—	—	—
TIER	X	—	—	—	—
ALARICO	X	—	—	—	—
DATE:	7-10-79	—	—	—	—

*Charles W. Ulsterman*  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
ZONING MAP (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE  
RESOLUTION No. B-33-79 on the 10<sup>th</sup> day of July <sup>19</sup>  
ATTEST: (SEAL) *Winfield C. Moore Jr.*

*Charles W. Ulsterman*  
CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11<sup>th</sup>  
day of July, 1979, at the hour of 11:30 o'clock A.M., E.S.T.  
*Charles W. Ulsterman*  
CITY CLERK

Approved and signed by me this 12<sup>th</sup> day of July 1979, at  
the hour of 3:00 o'clock M., E.S.T.  
*Robert L. Armstrong*  
MAYOR